

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DWAYNE SADLIK,

Plaintiff,

v.

Case No. 08-12936

NORFOLK SOUTHERN RAILWAY CO.,

Defendant,

Hon. John Corbett O'Meara

and

NORFOLK SOUTHERN RAILWAY CO.,

Defendant/Third-Party Plaintiff,

v.

BLUELINX CORPORATION,

Third-Party Defendant.

**ORDER GRANTING BLUELINX'S MOTION
FOR LEAVE TO FILE AMENDED WITNESS LIST**

Before the court is BlueLinx's motion for leave to file an amended witness list, filed April 16, 2010. BlueLinx seeks to call Donald Knutson to testify at trial. BlueLinx's counsel apparently only recently learned that Mr. Knutson has personal knowledge relevant to this case. Among other issues, Mr. Knutson will testify that he unloaded the railcar on or near which Plaintiff was injured. Although Mr. Knutson is a BlueLinx employee, he was laid off from October 13, 2008, until March 7, 2010.

In light of the circumstances, the court finds that good cause exists to allow BlueLinx to add Mr. Knutson to its witness list, provided that BlueLinx produces Mr. Knutson for deposition by Plaintiff in advance of trial. To the extent Plaintiff has other objections to the admissibility of Mr. Knutson's testimony, he may raise them at trial.

IT IS HEREBY ORDERED that BlueLinx's motion to amend witness list is GRANTED and that BlueLinx shall produce Donald Knutson for deposition forthwith.

s/John Corbett O'Meara
United States District Judge

Date: May 19, 2010

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, May 19, 2010, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager